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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 E.L.A. and O.L.C.,

10 Plaintiffs,

11 v.

12 UNITED STATES OF AMERICA,

13 Defendant.

Case No. 2:20-cv-1524-RAJ

**DECLARATION OF O.L.C. IN  
SUPPORT OF OPPOSITION TO  
MOTION TO TRANSFER VENUE  
AND PARTIAL MOTION TO  
DISMISS**

14 I, O.L.C., hereby declare:

15 1. My name is O.L.C. I am over the age of 18, and I am submitting this declaration in  
16 support of my opposition to the Defendant's motion to transfer this case and the partial motion to  
17 dismiss.

18 2. I have lived in Washington for almost two years, since I was reunited with my father  
19 in March 2019. This is the only place that I have lived with my father in the United States. I  
20 consider Washington my home. I want to stay in Washington, and I do not intend to move  
21 anywhere else in the United States.

22 3. I understand that the government has asked the Court to move this case to Texas,  
23 where I was arrested and first detained, or to New York. Having to litigate this case in Texas or  
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1 New York would be almost impossible for me, and for this reason, I respectfully ask the Court  
2 not to grant the government's request.

3 4. I live in Seattle, Washington, in an apartment with my brother and my father, E.L.A.

4 5. I am enrolled in high school classes at Seattle World School. I take algebra, biology,  
5 English, and other classes. I attended classes in person at Seattle World School until the COVID-  
6 19 pandemic. My classes are now online because it is not safe to be in the classroom. I like my  
7 teachers and my classmates. I spend time with my classmates online during lunch and breaks.

8 6. I have a work permit and I am allowed to work lawfully, but I am not working right  
9 now. Before the COVID-19 pandemic, I worked at a restaurant. I earned around \$16 per hour. I  
10 had to stop working because the restaurant closed due to the COVID-19 pandemic.

11 7. It was hard for me to lose that income. I used my earnings to help my family and also  
12 to buy things that I needed. My family struggles financially and we have relied on gifts of food  
13 and clothing from our close friends in Washington, as well as assistance from my school.

14 8. I have very little money in savings right now. I do not have extra money to purchase  
15 plane tickets. This would likely make it impossible for me to travel to Texas or New York in this  
16 case.

17 9. I have no plans to move from Washington. I want to stay in Washington. It feels safe  
18 to me because I am free here – and not detained like I was in New York – and I am with my  
19 family. I have friends here. I am enrolled in classes and I like my classmates and teachers. My  
20 family is connected to a church in Washington, and we will return to services after the COVID-  
21 19 pandemic ends. I see opportunities here to succeed, a person can get a job with a good salary  
22 here in Washington. Washington is home for me.

23 10. It would be difficult for me to travel to Texas or New York because I have obligations  
24 in Washington. I applied for asylum because I fear return to Guatemala. My family received

1 death threats, and suffered harm. My asylum application is pending with the asylum office, and I  
2 am in removal proceedings before the Seattle Immigration Court. Also, I am in school. Even if I  
3 had the money to travel, if I had to travel to Texas or New York for this case, I would have to ask  
4 the school for permission to miss class, and I would need to make up the work that I missed. It  
5 would be difficult to catch up, particularly during the COVID-19 pandemic. I also do not know  
6 who would take care of my younger brother if my father and I had to travel to Texas or New  
7 York; we could not leave him alone.

8 11. I also do not feel safe traveling to Texas because of my previous bad experiences with  
9 the authorities.

10 12. I understand that in the Defendant's motion, they have shared a document where my  
11 father told an immigration officer that we intended to go to Philadelphia, Pennsylvania. We have  
12 no plans on moving to Philadelphia or anywhere else. Washington is my home, and I want to  
13 stay here.

14 13. I also understand that in the Defendant's motion, the government suggested to the  
15 Court that the government offered to reunite me with my father E.L.A. before he was deported to  
16 Guatemala in July 2018. This is not true. The social worker at Lincoln Hall told me that they  
17 would try to reunify me with my father, but the next news that I received was the terrible news  
18 that my father had been deported to Guatemala. I felt afraid for my father because Guatemala is a  
19 dangerous place for our family.

1 I, O.L.C., declare under penalty of perjury of the law of the State of Washington and the  
2 United States that the foregoing is true and correct.


3 DATED this 8th day of February, 2021.

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5 O.L.C.  
6 O.L.C.  
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1 **CERTIFICATE OF INTERPRETATION**

2 I, Audrey Gilliam, hereby certify that I read the foregoing to O.L.C. in Spanish, and  
3 that he indicated that he understood the response and agreed to their contents. I further certify  
4 that I am competent in both English and Spanish to render and certify such interpretation.

5 DATED this 5th day of February, 2021.

6   
7 Audrey Gilliam  
8 Northwest Immigrant Rights Project  
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11 (206) 957-8614  
12 audrey@nwirp.org  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 8, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system.

DATED this 8th day of February, 2021.

s/ Aaron Korthuis  
Aaron Korthuis  
Northwest Immigrant Rights Project  
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Seattle, WA 98104  
(206) 816-3872  
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